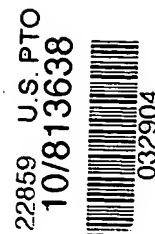




Attorney's Docket No.: Cura 99 DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shimkets et al.

Examiner:

Serial No.:

Art Unit:

Filed: concurrently herewith

For: NUCLEIC ACIDS CONTAINING SINGLE NUCLEOTIDE POLYMORPHISMS
AND METHODS OF USE THEREOF

Mail Stop:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

LETTER OF TRANSMITTAL

Enclosed please find the following documents for filing in regards to the above-identified application:

- [X] 1. A copy of the specification containing 61 pages (inclusive of 1 page abstract of the disclosure and 10 pages of claims) and containing a description of this invention pursuant to 37 CFR 1.71;
- [X] 2. The undersigned certifies that the attached specification referred to in paragraph 1 is a true copy of their earlier-filed patent application referred to in the following paragraph 3; and any declarations and powers of attorney, sequence listings, computer readable disks, and statements in support of same are true copies of filings made in the application(s) identified in paragraph 3, below.
- [X] 3. Please amend the specification, page 1, immediately after the title by adding the following paragraph:
-- This is a Divisional Application of United States Patent Application Serial Number 09/718,321, filed November 22, 2000. --
- [X] 4. Prior to determining the filing fees for this application, Applicants request that Claims 2 – 44 be canceled.
- [X] 5. A copy of the declaration and power of attorney executed by the

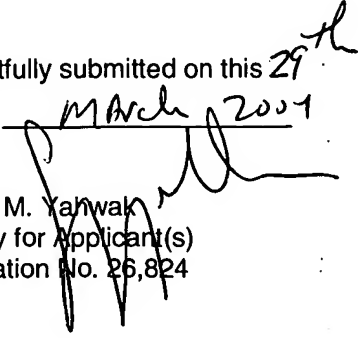
inventor(s) pursuant to 37 CFR 1.63;

- [] 6. An assignment in favor of CuraGen Corporation of 555 Long Wharf Drive, New Haven, Connecticut 06511 as executed by the inventor(s);
- [X] 7. An express mail statement (Receipt No. ER134615195US) pursuant to 37 CFR 1.10;
- [X] 8. Sequence Listing (504 pages)
- [X] 9. Computer Readable Form (1 compact disk)
- [X] 10. Statement of Support of C.F.R (1 page)
- [X] 11. A postal card filing receipt;
- [X] 12. 190 sheet(s) of drawings (TABLE 1);
- [X] 13. The Commissioner of Patents and Trademarks is authorized to debit Deposit Account No. 502,648 for the total amount necessary to accomplish the filing of this application, together with any charges that become due the United States Patent and Trademark Office during the prosecution of this application. This Letter of Transmittal is being submitted in duplicate;
- [X] 14. Small entity status is claimed pursuant to 37 CFR 1.27;
- [X] 15. A Preliminary Amendment is included herewith;
- [X] 16. A Revocation of Power of Attorney and Grant of New Power of Attorney is included herewith;
- [X] 17. All correspondence with respect to the filing of this application should be addressed to:

Jenell Lawson
Intellectual Property
CuraGen Corporation
555 Long Wharf Drive
New Haven, Connecticut 06511

Please accord this application a filing date of March 29, 2004 in accordance with the provisions of 37 CFR 1.10.

Respectfully submitted on this 29th
Day of March 2004


George M. Yawwak
Attorney for Applicant(s)
Registration No. 26,824

UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL STATEMENT

Applicants' Attorney George Yahwak (Registration No. 26,824) Certifies that the attached documents were deposited by him with the United States Post Office on this 29th Day of March 2004 as a postage prepaid Express Mail filing (Express Mail label No. ER 134615195 US for the 61 pages of Non-Provisional Patent Application of Martin Leach and Richard Shimkets. Entitled: NUCLEIC ACIDS CONTAINING SINGLE NUCLEOTIDE POLYMORPHISMS AND METHOD OF USE THEREOF.

Accordingly, Applicants claim the filing date of March 29, 2004

Certified this 29th Day of March 2004 by



George Yahwak, Esq. Registration No. 26,824